

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TEDDY RAGAN]
Plaintiff,]
]]
v.] No. 3:14-1346
] Judge Campbell
STATE OF TENNESSEE]
Defendant.]

ORDER

The plaintiff, proceeding *pro se*, is an inmate at the Davidson County Criminal Justice Center in Nashville. He has filed a “Writ of Complaint for Leave to File a Bill of Complaint in Brief in Support (Rule 17.3) United States Constitution and Supreme Court and to Obtain Counsel” (Docket Entry No. 1).

Having paid the fee required to file the complaint, *see* Docket Entry No. 11, the Court is now obliged to review it *sua sponte* to determine whether it is frivolous, malicious or fails to state a claim. 28 U.S.C. § 1915A.

The plaintiff avers that he filed a complaint in “Federal State Court as well as the State Appellate Courts in Tennessee and was denied including his Appeal !!!”. He believes that the dismissal of this complaint was a denial of his right to petition the government for a redress of his grievances.

The only case referenced by attachment is an action from this Court that was dismissed earlier and is currently on appeal in the Sixth Circuit Court of Appeals. Ragan v. Tennessee, et al., Civil No. 3:14-0392 (M.D. Tenn.); Docket Entry No. 15. That case was not litigated in the state

courts of Tennessee. It was, instead, a case in a federal district court.

The plaintiff, therefore, has offered no factual allegations sufficient to state a claim against the State of Tennessee. For that reason, plaintiff's complaint is DENIED and this action is hereby DISMISSED. 28 U.S.C. § 1915A.

An appeal of the judgment rendered herein would not be taken in good faith. Coppedge v. United States, 369 U.S. 438, 445-446 (1962). Therefore, the plaintiff is NOT certified to pursue an appeal of this judgment in forma pauperis. 28 U.S.C. § 1915(a)(3).

Nevertheless, should the plaintiff decide to file a notice of appeal, he must either pay the Clerk of Court the full appellate filing fee of five hundred five dollars (\$505) or submit a new application to proceed in forma pauperis with a certified copy of his inmate trust account statement for the previous six month period. 28 U.S.C. § 1915(a)(1); McGore v. Wrigglesworth, 114 F.3d 601 (6th Cir. 1997).

It is so ORDERED.

Todd Campbell
Todd Campbell
United States District Judge